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HOLLY KOLIOPOULOS

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 05-00106-02 HG
)	
Plaintiff,)	MEMORANDUM OF LAW
)	
vs.)	
)	
HOLLY KOLIOPOULOS,)	
)	
Defendant.)	
_____)	

MEMORANDUM OF LAW

COMES NOW Defendant No. 02 HOLLY KOLIOPOULOS

(hereinafter "Koliopoulos"), by and through her counsel, Harlan Y. Kimura, and hereby submits this Memorandum Of Law in support of her Motion In Limine To Exclude Evidence Of Defendant's Aliases And Addresses.

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I. FACTS.

The Discovery provided by the Government to date (hereinafter “Discovery”) indicates that Koliopoulos has been known by at least nine (9) other names or aliases. Bates Nos. 374, 385, and 394. Additionally, the Discovery further reflects that Koliopoulos previously resided at approximately fourteen (14) different addresses in California and Hawaii according to the databases it searched. Bates Nos. 392-95. Finally, the Discovery appears to indicate that Koliopoulos may have used two (2) Social Security Numbers (i.e. XXX-XX-4116 and XXX-XX-5860). Bates No. 394. However, at the time of the alleged offense Koliopoulos was residing at 98-068 Puanane Loop, Mililani, Hawaii 96789, but presently resides at 47-611 Mapele Road, Kaneohe, HI 96744, and her Social Security Number is XXX-XX-4116.

II. ARGUMENT.

The First Superseding Indictment filed herein on December 15, 2005 charges Koliopoulos with possession of a listed chemical with the intent to manufacture a controlled substance, as well as being engaged in a conspiracy to engage in the same (hereinafter “Charges”). There is no indication in the Charges that the identity of Koliopoulos, her previous whereabouts or prior residences, and/or her Social Security Number, is at issue with these Charges. Therefore, the

other names or alias Koliopoulos may have been known by, the numerous places she may have resided in the past, as well as her Social Security Number (hereinafter collectively “Alias Evidence”), are irrelevant to the Charges pursuant to Fed. R. Evid. 402.

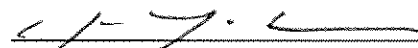
Even assuming there is at least a scintilla of relevance to the Alias Evidence, should the jury receive the same it could wrongfully conclude that Koliopoulos is guilty of the Charges because she is an individual who always changes her name, place of residence, and/or Social Security Number, to avoid detection from law enforcement authorities. Alternatively, the jury may conclude that Koliopoulos must be guilty of the Charges because no law-abiding person would have eight (8) other names, live at fourteen (14) different places in two (2) states, and/or use two (2) Social Security Numbers. Therefore, the potential danger of unfair prejudice, confusion of the issues, or misleading the jury with the introduction of the Alias Evidence far outweighs any relevance it may have to the Charges. Fed. R. Evid. 403.

III. CONCLUSION.

Based upon all the foregoing, Koliopoulos respectfully requests her Motion In Limine To Exclude Defendant’s Aliases and Addresses be GRANTED and the Government prohibited from referring to her other than as HOLLY

KOLIOPOULOS PRESENTING RESIDING AT 47-611 MAPELE ROAD,
KANEOME, HAWAII 96744, BUT FORMERLY RESIDED AT 98-068
PUANANE LOOP, MILILANI, HAWAII 96789, AND WHOSE SOCIAL
SECURITY NUMBER IS XXX-XX-4116.

DATED at Honolulu, Hawaii, JUL - 5 2006.



HARLAN Y. KIMURA
Attorney for Defendant No. 02
HOLLY KOLIOPOULOS